

AMENDED

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office -SEP 08 1989- NEW PRIORITY DATE: JAN 04 2001
Returned to applicant for correction OCT 10 1989
Corrected application filed OCT 23 1989
Map filed NOV 01 1989 under 52738

The applicant The Lake Las Vegas Joint Venture, Inc.
1050 E. Flamingo Road, Ste. 137, of Las Vegas,
Street and No. or P.O. Box No. City or Town
Nevada 89119, hereby make application for permission to appropriate the public
State and Zip Code No.
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a
copartnership or association, give names of members.) TransNeva Limited Partnership, Its Managing
General Partner; TransNeva Corporation, Its Managing General Partner

1. The source of the proposed appropriation is underground
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is 1.0 second-feet
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet Not applicable
3. The water to be used for Quasi-municipal
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated Not applicable
 - (b) Stockwater, state number and kinds of animals to be watered Not applicable
 - (c) Other use (describe fully under "No. 12. Remarks") Not applicable
 - (d) Power:
 - (1) Horsepower developed Not applicable
 - (2) Point of return of water to stream Not applicable
5. The water is to be diverted from its source at the following point NW 1/4 of SW 1/4 of Section 22,
Township 21 South, Range 63 East, M.D.M. at a point Describe as being within a 40-acre subdivision of public
1921.88 feet along a bearing of S 44°00'33" W to the SW corner of Section 22,
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
Township 21 South, Range 63 East, M.D.M.
6. Place of use The Lake at Las Vegas Resort Portions of Sections 14, 15, 22, 23,
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
Township 21 South, Range 63 East, Mount Diablo Meridian.
7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Drilled well(s) with pump and motor.
State manner in which water is to be diverted, i.e. diversion structure, ditches and
flumes, drilled well with pump and motor, etc.
9. Estimated cost of works Unkown until well(s) drilled.

10. Estimated time required to construct works. Estimate six (6) to twelve (12) months to drill well(s) and install pumps and motors. If well completed, describe works.
11. Estimated time required to complete the application of water to beneficial use. 2 to 3 years.
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

By s/ Steven Ainsworth
1050 E. Flamingo Road, Ste. 137
Las Vegas, NV 89119

Compared db/ bp bp/se

Protested

APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.
(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 723.97 acre feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before August 30, 1992

Proof of completion of work shall be filed on or before September 30, 1992

Application of water to beneficial use shall be made on or before August 30, 1995

Proof of the application of water to beneficial use shall be filed on or before September 30, 1995

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed IN TESTIMONY WHEREOF, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed office, this 30th day of August

Cultural map filed A.D. 19 90

Certificate No. Issued

R. Michael Turnipseed
State Engineer

(O)-5314 (Rev.)

CANCELLED DEC 14 2000 BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Justin P. E.
STATE ENGINEER

Can. HESC. 9-19-01

Abrogated By: 70441-7-1-0

(PERMIT TERMS CONTINUED)

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

The total combined duty of water under permits 46029, 46030, 53704, 53829, 53830 and 53831 is initially limited to 2200 acre-feet. At least four groundwater monitoring wells are to be located or installed within the general area of the production well under this permit at locations approved by the State Engineer. These monitoring wells must be installed prior to any diversion of groundwater allowed by this permit. The monitoring wells must penetrate at least 75 feet below the existing water table. The total combined duty of water allowed under permits 46029, 46030, 53704, 53829, 53830 and 53831 may be raised to a maximum of 4400 acre-feet in stages and as approved and authorized by the State Engineer only after the State Engineer has determined that the additional withdrawal will not adversely affect existing rights or the groundwater resource, and upon showing that the withdrawal of water is developed in the Horse Springs formation. The permittee will maintain pumping records on the amounts of water withdrawn and submit copies of these records to the State Engineer on a monthly basis. Water level measurements will be maintained on the monitoring wells and copies of these records will be submitted to the State Engineer on a monthly basis.

All of the applicant's permanent wells that are located within a quarter mile of the Las Vegas Wash and/or penetrate shallow portions of the Muddy Creek Formation will be constructed with a minimum of 100 feet of cemented casing below the elevation of the adjacent wash.

All of the applicant's permanent wells must be constructed so that they draw only upon the Horse Springs Formation as a source for groundwater appropriation.

This permit is issued subject to the State Engineer's ruling dated July 12, 1990.